

## REMARKS/ARGUMENTS

The Final Office Action dated November 13, 2008 has been reviewed and carefully considered. Claims 1-10, 12 and 14-20 are pending. Reconsideration of the above-identified application in light of the amendment and remarks is respectfully requested.

Claims 10 stands objected to because of informalities. The Final Office Action states the on line 16, "candidate persons" should state "the candidate persons". Applicants respectfully cannot find this term on line 16 and request clarification.

Claims 1, 14 and 15 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, claims 1, 14 and 15 recite the limitation "the search" in line 10. In response, claim 1, 14 and 15 have been amended to recite "a search". Accordingly, applicants request removal of this rejection.

In the Final Office Action, claims 1-10, 12, 14 and 15 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Wang (U.S. Patent 6038333) in view of Wang2 (U.S. Patent No. 6035055), in view of Platt (US20020047798) and in further view of Sheridan (U.S. Patent No. 5760917). It is respectfully submitted that independent claims 1, 10, 14 and 15 are patentable over Wang, Wang2 and Sheridan for at least the following reasons.

Amended independent claim 1 further recites the limitations of “*control means, operable by each candidate person, to control third party access to the stored personal data relating to the candidate person.*” The Final Office Action indicates these limitations are shown in Sheridan in col. 2, lines 45-52. Applicants respectfully disagree. In col. 2, lines 45-52, Sheridan simply teaches “access rights... to a remotely stored image set.” Nothing in Sheridan teaches controlling, by each candidate person, access to the stored personal data relating to the candidate person. The image acquisition device for capturing an image of a target person is not controlled by an access right in the present invention, but the personal data is controlled.

Amended independent claim 1 further recites the limitations of “*A user device comprising an image acquisition device... a search engine for matching the captured image of the target person to a candidate person image data item and retrieving the personal data relating thereto, wherein the search is limited to candidate person image data items that relate to further user devices that are in the same geographical area as the user device...*” The Final Office Action indicates these limitations are shown in Platt in page 2, paragraph 0024. Applicants respectfully disagree. In this section Platt teaches that a user can provide a search query requesting images that relate to a specific geographical location or vicinity. Thus, in Platt a user inputs a location and receives images in that location. Nothing in Platt teaches that the search is limited to candidate person image data items **that relate to further user devices** that are in the **same geographical area as the user device**.

Independent claim 10, 14, and 15 recite similar limitations.

Still further, independent claim 10 recites the limitations of “...wherein the means for accessing and the means for retrieving include a wireless communication device that is adapted to communicate with a plurality of further portable devices, the further portable devices together forming the remote database; and

wherein the range of the wireless communication device limits the further portable devices that form the remote database to the geographical area of the portable device.”

The Final Office Action indicates these limitations are shown in Sheridan in col. 3, lines 42-50 and col. 9, lines 1-8. Applicants respectfully disagree. In col. 3, lines 42-50, Sheridan simply describes the term ‘communication’ e.g. as a transmission of a signal... via various means including satellite. In col. 9, lines 1-8 Sheridan simply describes a Hub station 20 having means for communicating stored image set signal to an of a plurality of terminal 40A, 40B, 40C to 40N connected the hub 20. Nothing in Sheridan and in particular either of these cited sections teaches “wherein the means for accessing and the means for retrieving include a wireless communication device that is adapted to communicate with a plurality of further portable devices, the further portable devices together forming the remote database.”

Having shown that Wang, Wang2, Platt and Sheridan, alone or in combination, fail to disclose each and every element claimed, applicant submits that the reason for the Examiner's rejection of claims 1, 10, 14, and 15 has been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claims 1, 10, 14, and 15.

In the Office Action, claims 16-20 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Wang in view of Sheridan and in further view of Willins (U.S. Patent No. 6990587).

With regard to the dependent claims 2-9, 12 and 16-20, these claims ultimately depend from one of the independent claims, which have been shown to be allowable in view of the cited references. Accordingly, claims 2-9, 12 and 16-20 are also allowable by virtue of their dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. Entry of this amendment and a Notice of Allowance is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Thomas J. Onka', written over a horizontal line.

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